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NOTICE OF ALLOWANCE AND FEE(S) DUE

40317 7590 11/12/2009

GLOBAL IP SERVICES, PLLC
10 CRESTWOOD LANE
NASHUA, NH 03062

EXAMINER	
SAINT CYR, LEONARD	
ART UNIT	PAPER NUMBER
2626	
DATE MAILED: 11/12/2009	

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/774,211	02/06/2004	Vinod Prakash	1864.005US1	6906

TITLE OF INVENTION: SYSTEMS AND METHODS FOR LOW BIT RATE AUDIO CODERS

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	\$755	\$300	\$0	\$1055	02/12/2010

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: **Mail Stop ISSUE FEE**
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INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

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40317 7590 11/12/2009

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10 CRESTWOOD LANE
NASHUA, NH 03062

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Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)

(Signature)

(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/774,211	02/06/2004	Vinod Prakash	1864.005US1	6906

TITLE OF INVENTION: SYSTEMS AND METHODS FOR LOW BIT RATE AUDIO CODERS

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	\$755	\$300	\$0	\$1055	02/12/2010

EXAMINER	ART UNIT	CLASS-SUBCLASS
SAINT CYR, LEONARD	2626	704-230000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
 "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. **Use of a Customer Number is required.**

2. For printing on the patent front page, list

(1) the names of up to 3 registered patent attorneys or agents OR, alternatively,
(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1 _____
2 _____
3 _____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent): Individual Corporation or other private group entity Government

4a. The following fee(s) are submitted:

Issue Fee
 Publication Fee (No small entity discount permitted)
 Advance Order - # of Copies _____

4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)

A check is enclosed.
 Payment by credit card. Form PTO-2038 is attached.
 The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature _____

Date _____

Typed or printed name _____

Registration No. _____

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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GLOBAL IP SERVICES, PLLC 10 CRESTWOOD LANE NASHUA, NH 03062				SAINT CYR, LEONARD		
		ART UNIT		PAPER NUMBER		
				2626		
DATE MAILED: 11/12/2009						

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)

(application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 768 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 768 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

Notice of Allowability	Application No.	Applicant(s)	
	10/774,211	PRAKASH ET AL.	
	Examiner	Art Unit	
	LEONARD SAINT CYR	2626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. This communication is responsive to 07/27/09.
2. The allowed claim(s) is/are 1, 2, 4 – 7, and 9 – 21.
3. Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some* c) None of the:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) hereto or 2) to Paper No./Mail Date _____.
 - (b) including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. Notice of References Cited (PTO-892)
2. Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. Notice of Informal Patent Application
6. Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. Examiner's Amendment/Comment
8. Examiner's Statement of Reasons for Allowance
9. Other _____.

DETAILED ACTION

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with applicant's representative, Prakash Nama, on 11/04/09. The application has been amended as follows:

Claims 1, 4, 9, 12, 15, 18, and 21 have been amended as follow:

1. (Currently Amended) A method for quantizing an audio signal in an audio coder, the method comprising:

partitioning an audio signal into a sequence of successive frames;

initializing a quantization step size for each scale factor band of a current frame in the audio signal;

quantizing each scale factor band of the current frame with the initialized quantization step size;

determining quantized scale factor bands that are for which a current quantization step size for that scale factor band is at a vanishing point, wherein at least a peak value in that scale factor band remains non-zero after quantizing that scale factor band with the current quantization step size, and any further increase in the

Art Unit: 2626

~~current quantization step size will result in all zero quantized coefficients in that scale factor band~~ the vanishing point is a point where at least the peak value of a spectral coefficient among spectral coefficients in each quantized scale factor band remains non-zero;

freezing ~~respective~~ the quantization step size sizes for the determined scale factor bands that are at their the vanishing points;

comparing a the number of bits consumed in coding spectral lines in each all scale factor bands in the current frame at the ~~current~~ quantization step size to a specified bit rate;

if the number of bits consumed is greater than the specified bit-rate, incrementing the quantization step size for quantizing of each scale factor bands of the current frame that are not at the vanishing point that are not frozen and repeating the steps of quantizing, determining, freezing, and comparing and incrementing, if the number of bits consumed is greater than the specified bit rate wherein the a maximum value of the incremented quantization step size for quantizing a scale factor band is the value beyond which the peak spectral coefficient value among the spectral coefficients in that scale factor band becomes zero; and

if the number of bits consumed is not greater than the specified bit rate, exiting the quantization loop for the current frame when the number of bits consumed is at or below the specified bit rate.

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4. (Currently Amended) A method for quantizing an audio signal in an audio coder comprising:

partitioning an audio signal into a sequence of successive frames;

initializing a quantization step size for each scale factor band of a current frame
in the audio signal;

quantizing each scale factor band of the current frame with the initialized
quantization step size;

determining whether a the number of bits consumed in quantizing spectral lines
in each all scale factor bands in a the current frame is at or below a user specified bit
rate;

if so, freezing quantization step sizes in all the scale factor bands and exiting the
quantization of the current frame;

if not, incrementing quantization step size for quantizing of each scale factor
bands of the current frame by a predetermined quantization step size;

determining whether the quantization step sizes in one or more quantized scale
factor bands are at a vanishing point, wherein at least a peak value in a corresponding
scale factor band remains non zero after quantizing that scale factor band with a current
quantization step size, and any further increase in the current quantization step size will
result in all zero quantized coefficients in that scale factor band the vanishing point is a
point where at least the peak value of a spectral coefficient among spectral coefficients
in each quantized scale factor band remains non-zero; and

if not, repeating the above steps, wherein the a maximum value of the incremented quantization step size for quantizing a scale factor band is the value beyond which the peak spectral coefficient value among the spectral coefficients in that scale factor band becomes zero.

9. (Currently Amended) A method for quantizing spectral information in an audio encoder comprising:

partitioning an audio signal into a sequence of successive frames;

assigning an initial quantization step size to each scale factor band in a current frame as a function of a priority chart generated based on a perceptual model;

forming a first perceptual priority chart for the assigned scale factor bands;

quantizing each scale factor band of the current frame with the initialized quantization step size;

determining whether the number of bits consumed in quantizing spectral lines in the quantized scale factor bands in the current frame is at or below a user specified bit rate;

if so, freezing the quantization step sizes in all the scale factor bands and exiting the quantization of the current frame;

if not, incrementing the quantization step size for quantizing of each scale factor bands of the current frame based on the first perceptual priority chart;

determining whether the quantization step sizes in one or more scale factor bands are at a vanishing point, wherein at least a peak value in a scale factor band

~~remains non zero after quantizing that scale factor band with a current quantization step size, and any further increase in the current quantization step size will result in all zero quantized coefficients in that scale factor band~~ the vanishing point is a point where at least the peak value of a spectral coefficient among spectral coefficients in each quantized scale factor band remains non-zero; and

if not, repeating the above steps, wherein the a maximum value of the incremented quantization step size for quantizing a scale factor band is the value beyond which the peak spectral coefficient value among the spectral coefficients in that scale factor band becomes zero.

12. (Currently Amended) An article comprising:

a storage medium having instructions that, when executed by a computing platform, result in execution of a method comprising:

partitioning an audio signal into a sequence of successive frames;
initializing a quantization step size for each scale factor band of a current frame in the audio signal;

quantizing each scale factor band of the current frame with the initialized quantization step size;

determining whether a-the number of bits consumed in quantizing spectral lines in each all scale factor bands in the current frame is at or below a user specified bit rate in a current frame;

if so, freezing quantization step sizes in all the scale factor bands and exiting the quantization of the current frame;

if not, incrementing quantization step size for quantizing of each scale factor bands of the current frame by a predetermined quantization step size;

determining whether one or more quantized scale factor bands is are at a vanishing point, wherein at least a peak value in a corresponding scale factor band remains non zero after quantizing that scale factor band with a current quantization step size, and any further increase in the current quantization step size will result in all zero quantized coefficients in that scale factor band the vanishing point is a point where at least the peak value of a spectral coefficient among spectral coefficients in each quantized scale factor band remains non-zero; and

if not, repeating the above steps, wherein the a maximum value of the incremented quantization step size for quantizing a scale factor band is the value beyond which the peak spectral coefficient value among the spectral coefficients in that scale factor band becomes zero.

In claim 15, line 13, replace, “the maximum” by –a maximum-.

In claim 18, line 20, replace, “the maximum” by –a maximum-.

In claim 21, line 18, replace, “the maximum” by –a maximum-.

Allowable Subject Matter

2. Claims 1, 2, 4 – 7, and 9 – 21 are allowed over the prior art of record. The following is an examiner's statement of reasons for allowance:

After further search and thorough examination of the present application and in view of the applicant's arguments and amendments, page 16, claims 1, 2, 4 – 7, and 9 – 21 are found to be in condition for allowance over the prior art made of record.

As to claims 1, and 2, Liu et al., do not teach or suggest determining quantized scale factor bands that are the vanishing point is a point where at least the peak value of a spectral coefficient among spectral coefficients in each quantized scale factor band remains non-zero; freezing the quantization step size for the determined scale factor bands that are at the vanishing point; comparing the number of bits consumed in coding spectral lines in all scale factor bands in the current frame at the quantization step size to a specified bit rate; if the number of bits consumed is greater than the specified bit-rate, incrementing the quantization step size for quantizing scale factor bands of the current frame that are not at the vanishing point and repeating the steps of quantizing, determining, freezing, and comparing wherein a maximum value of the incremented quantization step size for quantizing a scale factor band is the value beyond which the peak spectral coefficient value among the spectral coefficients in that scale factor band becomes zero; and if the number of bits consumed is not greater than the specified bit rate, exiting the quantization loop for the current frame.

As to claims 4 - 7, and 12 - 14, Liu et al., do not teach or suggest determining whether the number of bits consumed in quantizing spectral lines in all scale factor bands in the current frame is at or below a user specified bit rate; if so, freezing quantization step sizes in all the scale factor bands and exiting the quantization of the current frame; if not, incrementing quantization step size for quantizing scale factor bands of the current frame by a predetermined quantization step size; determining whether the quantized scale factor bands are at a vanishing point, wherein the vanishing point is a point where at least the peak value of a spectral coefficient among spectral coefficients in each quantized scale factor band remains non-zero; and if not, repeating the above steps, wherein a maximum value of the incremented quantization step size for quantizing a scale factor band is the value beyond which the peak spectral coefficient value among the spectral coefficients in that scale factor band becomes zero.

As to claims 9 - 11, Liu et al., do not teach or suggest determining whether a the number of bits consumed in quantizing spectral lines in the quantized scale factor bands in the current frame is at or below a user specified bit rate; if so, freezing the quantization step sizes in all the scale factor bands and exiting the quantization of the current frame; if not, incrementing the quantization step size for quantizing scale factor bands of the current frame based on the first perceptual priority chart; determining whether the one or more scale factor bands are at a vanishing point, wherein the vanishing point is a point where at least the peak value of a spectral coefficient among spectral coefficients in each quantized scale factor band remains non-zero; and if not,

repeating the above steps, wherein a maximum value of the incremented quantization step size for quantizing a scale factor band is the value beyond which the peak spectral coefficient value among the spectral coefficients in that scale factor band becomes zero.

As to claims 15 - 20, Liu et al., do not teach or suggest an inner loop module determines whether a number of bits consumed in each critical band is at or below a user specified bit rate in a current frame, wherein the inner loop module freezes quantization step sizes in all the critical bands when the number of bits consumed is at or below the user specified bit rate; and an outer loop module increments quantization step sizes for quantizing each critical band by a predetermined quantization step size when the number of bits consumed is above the user specified bit rate, wherein a maximum value of the incremented quantization step size for quantizing a critical band is the value beyond which the peak spectral coefficient value among the spectral coefficients in that critical band becomes zero, and determines whether the one or more quantized critical bands are at a vanishing point, wherein the vanishing point is a point where at least the peak value of a spectral coefficient among spectral coefficients in each quantized critical band remains non-zero, and wherein the outer loop module freezes the quantization step sizes of the one or more critical bands that are at the vanishing point.

As to claim 21, Liu et al., do not teach or suggest means for determining whether a number of bits consumed by the spectral lines in the quantized critical bands is at or

below a user specified bit rate in a current frame, and freezing the quantization step sizes in all the critical bands when the number of bits consumed is at or below the user specified bit rate; and means for incrementing quantization step size of each critical band by a predetermined quantization step size when the number of bits consumed is above the user specified bit rate, wherein a maximum value of the incremented quantization step size for quantizing a critical band is the value beyond which the peak spectral coefficient value among the spectral coefficients in that critical band becomes zero, and wherein the means for incrementing quantization step size of each critical band determines whether one or more quantized critical bands are at a vanishing point, wherein the vanishing point is a point where at least the peak value of a spectral coefficient among spectral coefficients in each quantized critical band remains non-zero.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to LEONARD SAINT CYR whose telephone number is (571) 272-4247. The examiner can normally be reached on Mon- Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richemond Dorvil can be reached on (571) 272-7602. The fax phone number for the organization where this application or proceeding is assigned is (571)-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

LS
11/05/09

/Richemond Dorvil/
Supervisory Patent Examiner, Art Unit 2626